

### REMARKS

In view of the comments which follow, and pursuant to 37 CFR §1.111, reconsideration of the Official Action of September 13, 2004 is respectfully requested by Applicants.

#### Restriction/election requirement

The Examiner requires election under 35 USC §121 to one of the following inventions:

- I. Claims 4-6, 29-31, and 44 drawn to a THC derivative and a kit containing it
- II. Claims 8-10, 24-28, and 43 drawn to a benzodiazepine derivative and a kit containing it
- III. Claim 36 drawn to the preparation of a THC derivative
- IV. Claim 37 drawn to a different method of preparing a THC derivative
- V. Claim 38 drawn to a method of preparing a benzodiazepine derivative
- VI. Claim 40 drawn to an immunoassay method for benzodiazepines
- VII. Claim 41 drawn to an immunoassay for THC

The Examiner states that Claims 1-3, 7, 11-23, and 42 link inventions I and II, Claims 32-35 link inventions III, IV, and V, and Claim 39 links inventions VI and VII.

#### Election of Invention and Restriction for Examination

Applicants elect the claims of invention II (claims 8-10, 24-28, and 43) relating to a benzodiazepine derivative and a kit containing it, without traverse.

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The Examiner is hereby authorized to charge any fees associated with this  
Amendment to Deposit Account No. 02-2958. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marilyn L. Amick". The signature is written in dark ink and is positioned above a horizontal line.

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